

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/733,707	SODERSTROM ET AL.	
	Examiner	Art Unit	
	Adnan M. Mirza	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 09/15/2006.
2.  The allowed claim(s) is/are 1-4 and 6-8.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.



JASON CARDONE  
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it must be submitted no later than the payment of the issue fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Charles Carry on 09/24/06

Please amend the independent claims 1 and 6 and cancel claims 5 and 9.

Claim 1 (currently amended): A networked optical storage server configured to couple to a plurality of users across a network; and the networked optical storage server comprising:

- at least one optical storage media;
- a network module configured to couple to the network for packet based communications with the plurality of users across the network;
- at least one non-optical memory coupled between the network module and the at least one non-optical storage media memory for temporary storage of data packets received from corresponding ones of the plurality of users; and

- a processor coupled to the at least one non-optical memory and configured to coalesce in the non-optical memory related data packets from a corresponding file or datastream into a corresponding aggregate data packet and to write each corresponding aggregate data packet to the at least one optical storage media, thereby reducing a number of write operations required to write data to the at least one optical storage media.

Claim 6 (currently amended): A method executed on ~~an a networked~~ optical storage server configured to couple to a plurality of users across a network, comprising the acts of:

- providing at least one optical storage media ~~and at least one non-optical memory coupled thereto for temporary storage of data packets received from corresponding ones of the plurality of users;~~
- coupling ~~the at least one non-optical memory~~ to the network for packet based communications with the plurality of users ~~across the network~~;
- coalescing ~~in the non-optical memory multiple related~~ data packets each associated with a corresponding file or datastream received from the plurality of users into a single corresponding aggregate data packets; and
- writing each ~~corresponding~~ aggregate data packet coalesced in the coalescing act to the at least one optical storage media, thereby reducing a number of write operations required to write data to the at least one optical storage media.

Claim 5 (Cancelled)

Claim 9 (Cancelled)

Reasons for Allowance

1. Claims 1-4,6-8 will be allowed.
2. The following is an examiner's statement of reasons for allowance.

The prior art references most closely resembling the applications claimed invention are Oliver et al (U.S. 5,745,458) and Broderson et al (U.S. 2002/0112226).

First Oliver discloses an overlapped spin up process for an optical disk which may be part of a single drive or juke box. However Oliver did not disclose, "at least one non-optical memory coupled between the network module and the at least one non-optical memory for temporary storage of data packets received from corresponding ones of the plurality of users" as part of all independent (claims 1, 6).

Second Broderson discloses a multimedia authoring software application capable of burning authored movies directly onto a DVD. However Broderson did not disclose, "at least one non-optical memory coupled between the network module and the at least one non-optical memory for temporary storage of data packets received from corresponding ones of the plurality of users" as part of all independent (claims 1,6).

In summary, the Examiner submits that there is no motivation to combine the aforementioned references; therefore, claims 1-4,6-8 have been deemed allowable over the prior art.

Art Unit: 2145

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (571)-272-3885.

The examiner can normally be reached on Monday to Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571)-272-3933. The fax for this group is (703)-746-7239. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for un published applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866)-217-9197 (toll-free).



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